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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of MARK J. PERINA]

Serial No.: 10/797,778]

BEFORE THE BOARD OF
PATENT APPEALS AND
INTERFERENCES

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Filed: March 10, 2004]

Title: HOLLOW STRUCTURAL
MEMBER]

Appeal No. _____

Art Unit.: 3635]

APPELLANT'S AMENDED APPEAL BRIEF

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Commissioner for Patents
Alexandria, VA 22313

Dear Sir:

REAL PARTY IN INTEREST

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The Appellant has assigned all of his rights to the invention to Valmont Industries, Inc.; therefore, the real party in interest is Valmont Industries, Inc.

RELATED APPEALS AND INTERFERENCES

There are no appeals or interferences related to this case.

STATUS OF THE CLAIMS

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This is an appeal of the Examiner's final rejection of Claims 30-31. Claims 30 and 31 are independent claims. Claims 1-29 have been cancelled.

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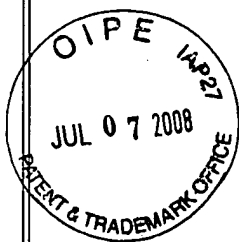
Respectfully submitted,



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(402) 392-2280

Date: 7/1/08



CLAIMS APPENDIX

- 1 1. (Cancelled)
2. (Cancelled)
3. (Cancelled)
- 5 4. (Cancelled)
5. (Cancelled)
6. (Cancelled)
7. (Cancelled)
8. (Cancelled)
- 10 9. (Cancelled)
10. (Cancelled)
11. (Cancelled)
12. (Cancelled)
- 15 13. (Cancelled)
14. (Cancelled)
15. (Cancelled)
16. (Cancelled)
- 20 17. (Cancelled)
18. (Cancelled)
19. (Cancelled)
20. (Cancelled)
21. (Cancelled)

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22. (Cancelled)

23. (Cancelled)

24. (Cancelled)

25. (Cancelled)

26. (Cancelled)

27. (Cancelled)

28. (Cancelled)

29. (Cancelled)

30. (Appealed) A hollow, elongated, structural member comprising:

a plurality of elongated hollow pole sections secured together in an end-to-end relationship;

each of said hollow pole sections comprising a plurality of longitudinally extending peripheral sections joined together;

each of said peripheral sections having upper and lower end edges and first and second side edges;

each of said peripheral sections having first and second vertically extending break lines formed therein adjacent said first and second side edges respectively to form longitudinally inwardly extending first and second edge portions;

each of said peripheral sections also having a plurality of spaced-apart longitudinally extending break lines formed therein between said first and

second break lines to form a plurality of angled wall sections between said
1 first and second break lines;
said edge portions of said peripheral sections being bolted together by bolt
members to form a hollow pole section;
the angled wall sections immediately adjacent said first and second break lines of
5 said adjacent peripheral sections defining an externally presented general
V-shape therebetween.

31. (Appealed) A wind turbine tower, comprising:

10 a plurality of elongated hollow pole sections secured together in an end-to-end
relationship;

each of said hollow pole sections comprising a plurality of longitudinally
extending peripheral sections joined together;

15 each of said peripheral sections having upper and lower end edges and first and
second side edges;

each of said peripheral sections having first and second vertically extending
break lines formed therein adjacent said first and second side edges
respectively to form longitudinally inwardly extending first and second
edge portions;

20 each of said peripheral sections also having a plurality of spaced-apart
longitudinally extending break lines formed therein between said first and
second break lines to form a plurality of angled wall sections between said
first and second break lines;

said edge portions of said peripheral sections being bolted together by bolt

1 members to form a hollow pole section;

the angled wall sections immediately adjacent said first and second break lines of

said adjacent peripheral sections defining an externally presented general

5 V-shape therebetween.

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EVIDENCE APPENDIX

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N/A

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RELATED PROCEEDINGS INDEX

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NONE

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CERTIFICATE OF MAILING

1 I hereby certify that the original of this APPELLANT'S AMENDED
APPEAL BRIEF for MARK J. PERINA, Serial No. 10/797,778, was mailed by first
class mail, postage prepaid, to Mail Stop Amendment, Commissioner for Patents,
5 P.O. Box 1450, Alexandria, VA 22313-1450, on this ~~30th~~^{1st} day of ~~June~~^{July}, 2008.

Thomte Patent Law Office, L.L.C.



DENNIS L. THOMTE